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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ESCO CORPORATION and ESCO
CANADA, LTD.

Plaintiffs/Counterclaim Defendants,

v.

CASHMAN EQUIPMENT COMPANY,
CATERPILLAR GLOBAL MINING LLC,
CATERPILLAR INC., RAPTOR MINING
PRODUCTS (USA) INC., and RAPTOR
MINING PRODUCTS INC.

Defendants/Counterclaim Plaintiffs.

Case No.: 2:12-cv-01545-RCJ-NJK

**JOINT SCHEDULE AND PROPOSED
ORDER FOR CLAIM CONSTRUCTION
BRIEFING**

Pursuant to the Court's December 30, 2014 Order consolidating 2:14-cv-529-RCJ-PAL and 2:12-cv-01545-RCJ-NJK, L.R. 16.1-15, the December 17, 2014 and January 14, 2015 telephonic conference calls with the Court, and the Court's January 14, 2015 Order setting the Claim Construction Hearing for May 5-6, 2015, Plaintiffs, ESCO Corporation and ESCO Canada, Ltd. (collectively, "ESCO Parties") and Defendants Cashman Equipment Company, Caterpillar Global Mining LLC ("CGM"), Caterpillar Inc. ("Caterpillar"), (collectively, "Caterpillar Defendants"), Raptor Mining Products (USA) Inc., and Raptor Mining Products Inc. (together with Caterpillar Defendants collectively, "Defendants") hereby submit the following Joint Schedule and Proposed Order for Claim Construction Briefing.

After consolidation of the two litigations, there are eight patents-in-suit including one ESCO Canada patent, five ESCO patents, one Caterpillar patent, and one CGM patent. The patents-in-suit generally relate to the field of mining. Per the Court's directive to reduce the number of claims and terms, there are now thirty-nine total asserted claims across the eight patents-in-suit. As a result of this reduction in asserted claims, the parties are continuing to reduce the number of terms requiring the Court's construction. The final list will be reflected in the upcoming Amended Joint Claim Construction Statement (L.R. 16.1-15), which the parties anticipate filing with the Court within the next few days. However, given the timing of the upcoming claim construction hearing, the parties felt it prudent to provide the Court with their proposed briefing schedule in advance of that filing. Specifically, the parties propose the following briefing schedule:

EVENT	DEADLINE
The parties shall serve and file their respective opening claim construction briefs and supporting evidence (90-page limit)	March 27, 2015
The parties shall file their respective responsive brief and supporting evidence (75-page limit)	April 24, 2015

EVENT	DEADLINE
The parties shall file and serve any tutorials they wish to present during the claim construction hearing ¹	April 29, 2015
Claim construction hearing	May 5-6, 2015

DATED: March 9, 2015

Respectfully Submitted,

/s/ Binal J. Patel

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***Attorneys for Raptor Mining Products (USA)
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¹ The time allocated for the tutorial will be deducted from the presenting party's claim construction hearing time.

CERTIFICATE OF SERVICE

I hereby certify that on March 9, 2015 a true and correct copy of JOINT SCHEDULE AND PROPOSED ORDER FOR CLAIM CONSTRUCTION BRIEFING was served via ECF on all counsel of record.

/s/ Shawwna M. Yashar

*Counsel for Caterpillar Inc., Caterpillar
Global Mining LLC, and Cashman
Equipment Company*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ESCO CORPORATION and ESCO
CANADA, LTD.

Plaintiffs/Counterclaim Defendants,

v.

CASHMAN EQUIPMENT COMPANY,
CATERPILLAR GLOBAL MINING LLC,
CATERPILLAR INC., RAPTOR MINING
PRODUCTS (USA) INC., and RAPTOR
MINING PRODUCTS INC.

Defendants/Counterclaim Plaintiffs.

Case No.: 2:12-cv-01545-RCJ-NJK

**[PROPOSED] ORDER FOR CLAIM
CONSTRUCTION BRIEFING**

The Court hereby orders that the parties submit briefs in support of the terms they wish to have the Court construe according to the following schedule:

EVENT	DEADLINE
The parties shall serve and file their respective opening claim construction briefs and supporting evidence (90-page limit)	March 27, 2015
The parties shall file their respective responsive brief and supporting evidence (75-page limit)	April 24, 2015
The parties shall file and serve any tutorials they wish to present during the claim construction hearing ¹	April 29, 2015
Claim construction hearing	May 5-6, 2015

The parties are also instructed to file an Amended Joint Claim Construction Statement pursuant to L.R. 16.1-15 no later than March 13, 2015.

DATED: March 11, 2015

IT IS SO ORDERED.


United States Magistrate Judge

¹ The time allocated for the tutorial will be deducted from the presenting party's claim construction hearing time.